

Minutes
Town of Lake Park, Florida
Town Commission Meeting
February 18, 2004 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, February 18, 2004 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor G. Chuck Balius, Commissioners Longtin, Otterson and Garretson, Town Manager Doug Drymon, Town Attorney Thomas Baird and Town Clerk Carol Simpkins.

Mayor Castro called the Meeting to order at 7:30 p.m.

Bishop Granger gave the Invocation.

Mayor Castro led the Pledge of Allegiance.

Deputy Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS

Item M-9 Request for the use of Kelsey Park for Haitian Flag Day celebration on May 15, 2004 was moved from Discussion and Possible action and placed before Ordinances-Second Reading/Final adoption.

Item K-6 One Park Place was deferred until the March 3, Regular Commission Meeting.

MOTION: A motion was made by Commissioner Garretson to approve the February 18, 2004 Agenda; Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATIONS:

Captain John Carroll introduced Sergeant Michael Antonopoulos to the Town Commission. He indicated that Sergeant Michael Antonopoulos would provide coverage for the Town in the event that Captain Carroll is not available.

PUBLIC COMMENT:

The following person(s) addressed the Commission;

Joel Briar, 2328 Congress Avenue spoke regarding the Town of Lake Park Firefighters Pension Fund.

CONSENT AGENDA

Commission Meeting Minutes of January 8, 2004.

Commission Meeting Minutes of February 4, 2004

Commission Meeting Minutes of February 9, 2004

Commission Meeting Minutes of February 11, 2004

MOTION: A motion was made by Vice Mayor Balius to approve the Commission Meeting Minutes of January 8, February 4, 9, and 11, 2004 as corrected. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Request for use of Kelsey Park for the Haitian Flag Day celebration on May 15, 2004.

MOTION: A motion was made by Commissioner Garretson to approve the request for Haitian Flag Day in Kelsey Park. Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balus		X	
Mayor Castro	X		

Motion passed 4-1.

Vice Mayor Balus feels that although people of the Haitian nationality are celebrating their own culture through Haitian Flag Day, they should consider celebrating American Flag Day which is held annually on June 14.

PUBLIC HEARING/S:

ORDINANCES ON SECOND READING/ADOPTION:

ORDINANCE NO. 06-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 13, SECTION 13-36(116) OF THE TOWN CODE TO REPEAL LICENSING FEES FOR ICE VENDING MACHINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

No Speakers

Public Hearing closed.

MOTION: A motion was made by Commissioner Longtin to adopt Ordinance No. 06-2004. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		

Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE NO. 07-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 13, SECTION 13-36(173)(c)(3) OF THE TOWN CODE TO CLARIFY THE OCCUPATIONAL LICENSE FEES TO BE CHARGED FOR REAL ESTATE RENTALS OF COMMERCIAL PROPERTY WHICH ARE USED FOR THE OPERATION OR TRANSACTION OF A BUSINESS, OCCUPATION, OR PROFESSION FOR WHICH A SEPARATE OCCUPATIONAL LICENSEE IS REQUIRED BY CHAPTER 13 ON A PER UNIT BASIS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

Richard Ahrens, 1461 Kinetic Road posed a question to the Commission relating to the Town charging the owner/landlord of the building an occupational license fee for the business and an additional fifty dollars (\$50.00) for each bay.

Gary Jackson, 1210 Gateway Road opined that the Town Commission is not keeping their promise of a business friendly environment for the business owners in Town of Lake Park.

Eleanor B. Halperin, Levy, Kreen & Mariani, LLC, representing Stuart Enterprises, Inc. requested clarity on the implementation of Ordinance 07-2004.

Public Hearing closed.

The Commission directed the Town Attorney to compare how neighboring municipalities handle the collection of their occupational license as it pertains to bays per unit. The Commission indicated that the intent of the Ordinance is not to overcharge the business owners and/or tenants.

MOTION: A motion was made by Commissioner Garretson to defer Ordinance No. 07-2004; Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES ON FIRST READING

ORDINANCE NO. 03-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 17, ARTICLE III, SECTION 16-74 OF THE TOWN CODE PERTAINING TO THE ISSUANCE OF SPECIAL EVENTS PERMITS FOR NON-TOWN SPONSORED EVENTS BY THE TOWN MANAGER AND THE TOWN COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Commission agreed to remove the reference of "fireworks & sparklers" from the Ordinance.

MOTION: A motion was made by Vice Mayor Balias to approve Ordinance No. 03-2004 as amended, Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		

Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

**QUASI-JUDICIAL PUBLIC HEARING(S):
RESOLUTIONS**

Deputy Town Clerk Stephanie Thomas swore in the witnesses.

The following Commissioners had no exparte communications to be declared:

Commissioner Longtin
Commissioner Garretson
Commissioner Otterson
Vice Mayor Balius
Mayor Castro

RESOLUTION 12-02-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN FOR A MEDICAL OFFICE OWNED BY JORGE SALLENT, M.D., KNOWN AS THE PEDIATRIC RESPIRATORY CENTER TO ADD APPROXIMATELY 653 SQUARE FEET TO AN EXISTING 6,993 SQUARE FEET BUILDING LOCATED AT 500 FEDERAL HIGHWAY, ON 0.75 ACRES BETWEEN FORESTERIA DRIVE AND EVERGREEN DRIVE, WITHIN THE COMMERCIAL-1 ZONING DISTRICT (C-1); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS AND CONFLICT; PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

Jamie Gentile, Calvin, Giordano & Associates, indicated that staff agrees with the Planning and Zoning board to recommend approval of the project. He stated that the applicant has agreed to bring the property up to the current landscaping and the existing drainage will be improved.

The Commission indicated that if the applicant researches the price for the repair of the horses, the Commission will consider matching funds, if the amount is within reason.

MOTION: A motion was made by Vice Mayor Balius to approve Resolution No. 11-01-04 with the condition that the facility has low level lighting. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO. 13-02-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF PALM BEACH GARDENS; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

MOTION: A motion was made by Commissioner Garretson to approve Resolution No. 13-01-04. Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

Evaluation Appraisal Report

John Downs, Vice President of Calvin, Giordano & Associates reported that the Evaluation and Appraisal Report (EAR) Workshop had a great turn out. Mr. Downs indicated that the result of the meeting was that most people felt the important issues were mass transit, a parks and recreation facility and density issues. The residents expressed a desire to preserve the "small town" atmosphere. (see exhibit __) By consensus from the Town Commission, Mr. Downs will be contacting Tallahassee and moving forward with the next step of the EAR process. There was general consensus among the Commission.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Mayor Castro honored the lives of the late Hank Skokowski of Urban Design Studio and former Mayor of the Town of Palm Beach, Mayor Paul Ilyinsky.

Vice Mayor Balius

Vice Mayor Balius suggested that the Traffic Study from 1991 be pulled to be evaluated and compared to the priorities of the residents expressed at the EAR workshop. He thanked Town Manager Drymon for allowing Palmetto Drive to remain at least partially open. (The Department of Transportation had plans to block the road for several weeks) Vice Mayor Balius apologized for not responding to the business owners who left messages for him in that he knew their issues would be addressed by the Town Attorney at the Commission Meeting.

Commissioner Longtin

Commissioner Longtin publicly noted that the Neighborhood Watch meeting will be held on Saturday, February 21, 2004 at 11:00 a.m. She also mentioned that Palm Beach County will be holding a 5 ½ hour meeting in the Commission Chambers on February 26, 2004 regarding the Lake Park Scrub area. Commissioner Longtin indicated that free smoke alarms can be obtained by calling 561-734-0423. She provided her contact number, 561-881-3309.

Commissioner Otterson

MOTION: A motion was made by Commissioner Otterson for Bambi McKibbin-Turner to receive a proclamation for her outstanding service to the Town of Lake Park. Commissioner Longtin made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		

Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro		X	

Motion passed 5-0.

Mayor Castro indicated that he would like to see the Employee of the Year Award implemented.

Commissioner Garretson

Commissioner Garretson indicated that he would like to focus on the acceleration of annexation as it pertains to the western and northern vicinity of the Town. Mayor Castro explained that Calvin, Giordano & Associates would have to put in more time to work on accomplishing the annexation issues. Town Manager Drymon will provide a report to the Town Commission within five to seven days on the topic of an estimate of extended time Calvin, Giordano & Associates will need to work on annexation.

Town Manager Drymon

Town Manager Drymon explained the Lake Park Scrub Area meeting. He stated that the Town Attorney is in the process of developing a new minimum housing code. He stated that staff requested direction from the Commission on the signage code and he was informed that he should be enforcing the code exactly as it is written. As a result Officer Durgin began to enforce the signage code which generated complaints from business owners. Town Manager Drymon stated that notices will be provided to all applicable parties to inform them to expect the enforcement of the code as it pertains to signage.

Town Attorney Baird

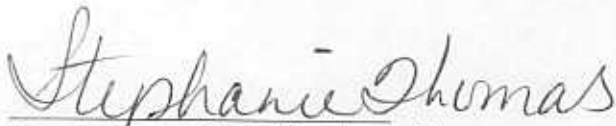
Town Attorney Baird indicated that he was pleased with the honoring of Hank Skokowski of Urban Design Studio by Mayor Castro. He stated that Mr. Skokowski was a personal and professional friend and that he left many marks throughout Palm Beach County. He reported that the Circuit Court has disposed of the Town's motion for Partial Summary Judgment in the Firefighters Pension Board case. He requested that the Commission conduct an Attorney-Client session to discuss the case. The pleasure of the Town Commission was to schedule an Attorney-Client Session on March 3, 2004 at 7:30 p.m.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by Vice Mayor Balius, seconded by Commissioner Ottersqand and by unanimous vote, the meeting adjourned at 9:25 p.m.



Mayor Paul Castro



Deputy Town Clerk, Stephanie Thomas

Approved on this 3rd day of March 2004.